

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF ALABAMA  
NORTHERN DIVISION**

**DANIEL BRYAN KELLY,**

**Plaintiff,**

**v.**

**RICKY OWENS, et al.,**

**Defendants.**

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**CIVIL ACTION NO.: 2:05-cv-1150-T**

**NOTICE OF INTERLOCUTORY APPEAL**

COME NOW Terry Wilson, Wendy Roberson and Al Bradley, Defendants in the above-entitled case, and give notice to this court and to the parties that they appeal the District Court's decision of February 1, 2008, denying in part their Motion for Summary Judgment. The Order denied, in part, qualified immunity to these Defendants. The basis of this appeal is the denial of qualified immunity.

Respectfully submitted this 19th day of February, 2008.

**s/Kristi A. McDonald**  
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**CERTIFICATE OF SERVICE**

I hereby certify that on this the 19<sup>th</sup> day of February, 2008, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the following: **Richard J. Stockham, III, Kendrick E. Webb, and Gary L. Willford, Jr..**

**s/Kristi A. McDonald**  
OF COUNSEL

